

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.6781 OF 2016

ORDER :

Petitioner has submitted a tender in response to a tender Notification dt.03.09.2015 issued by the 3rd respondent to run a diet canteen in various hospitals in Karimnagar District for supply of diet to inpatients and duty doctors. The 5th respondent also submitted his tender thereto. Alleging that the tender submitted by the petitioner is not in conformity with the G.O.Ms.No.325 Health, Medical & Family Welfare (M1) Department, dt.01.11.2011 and that the said contract is likely to be awarded to 5th respondent, this writ petition has been filed by the petitioner.

2. The Government Pleader for Medical and Health on instructions states that the tender has not been awarded to 5th respondent as of date and that the Writ Petition is premature.

3. I agree with the contention raised by the Government Pleader for Medical and Health that the petitioner has no cause of action to file this Writ Petition, since no tender has been awarded as of date to 5th respondent. Further, since the petitioner also filed tender, there is a chance that the tender may be awarded to the petitioner by the 3rd respondent.

4. Therefore, I am not inclined to entertain this Writ Petition to stall the tender process on an apprehension that the tender would be awarded to 5th respondent and it is accordingly dismissed. However, this will not preclude the petitioner from challenging the action of the 3rd respondent in awarding the tender to 5th respondent in future. There shall be no order as to costs.

5. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

02nd March, 2016.

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